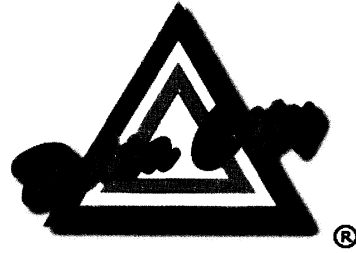


Delta City, Utah
76 N 200 W
Delta UT 84624-9440
435 864 2759
435 864 4313 FAX
www.delta.utah.gov



Certificate of Resolution Passage

STATE OF UTAH)
)
CITY OF DELTA) ss.

I, GREGORY J. SCHAFER, as the duly appointed, sworn and acting Delta City Recorder, do hereby certify that the attached, numbered as City of Delta Resolution Number 12-344 was duly adopted by the necessary quorum of the Delta City Council on April 19, 2012.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the corporate seal of said City.


GREGORY JAY SCHAFER, MMC
Delta City Recorder



00181157

B: 550 P: 182 Fee \$0.00
Connie Hansen, Millard Recorder
04/24/2012 10:03:24 AM By DELTA CITY Page 5 of 5





RESOLUTION NO. 12-344

A RESOLUTION OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH, APPROVING THE TRANSFER OF AN INTEREST IN PARCELS OF REAL PROPERTY TO THE LOCAL BUILDING AUTHORITY OF DELTA CITY FOR THE ISSUANCE OF BONDS AND THE CONSTRUCTION AND OPERATION OF A COMMUNITY CENTER AND RELATED FACILITIES.

The City Council of the City of Delta, Utah, ("Council") hereby recites the following as the basis for adopting the Resolution:

WHEREAS, the Council met in a regular session on April 19, 2012, to consider, among other things, approving the formation of a local building authority formed pursuant to Utah Code Ann. 17D-2-101 *et seq.*, as amended, for the purposes of the issuance of bonds for the construction and operation of a community center and related facilities (the "Community Center");

WHEREAS, the Council authorized and directed the creation of the Local Building Authority of Delta City (the "Building Authority") pursuant to a resolution adopted on April 19, 2012 (the "Creating Resolution");

WHEREAS, pursuant to the Creating Resolution, the Authority has been duly and regularly created, established and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and the laws of the State of Utah, including, in particular, the provisions of the Utah Revised Nonprofit Corporation Act, Utah Code Ann. § 16-6a, as amended, and the Utah Local Building Authority Act, Utah Code Ann. § 17D-2, as amended (collectively, the "Building Authority Act");

WHEREAS, Utah Code Ann. § 10-8-2, as amended, permits Delta City to sell, lease, convey or otherwise dispose of any real property for the benefit of the municipality so long as the sale, lease, conveyance or disposal of such real property is in the public interest and complies with other law;

WHEREAS, Delta City desires to transfer and convey certain parcels of real property to the Building Authority to effectuate the Building Authority's purposes of issuing bonds for the construction and operation of a community center and related facilities;

WHEREAS, the Council has determined that the requirements of Utah Code Ann. § 10-8-2(4) do not apply for this conveyance from Delta City to the Building Authority because Delta City is not disposing of real property, but is instead transferring real property to the Building Authority which is a public entity and an instrumentality of Delta City that is wholly controlled by the Council;

NOW, THEREFORE, be it hereby RESOLVED by the Council of the City of Delta, State of Utah THAT:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Council and by the officials of Delta City toward the conveyance as herein discussed are hereby ratified, approved and confirmed.

Section 2. The Council hereby approves and directs the conveyance of the parcels of real property described on Exhibit "A" that is attached hereto from Delta City to the Local Building Authority of Delta City, and finds that the conveyance is necessary, convenient and in the furtherance of the governmental purposes of Delta City and is in the best interests of the citizens of Delta.

Section 3. The Quitclaim Deed in substantially the respective form presented in this meeting and attached hereto as Exhibit "B", is in all respects approved, authorized, and confirmed, and the Mayor of Delta City is authorized to execute and deliver the Quitclaim Deed in the form and with substantially the same content as attached hereto to the office of the Millard County Recorder.

Section 4. The Mayor is hereby authorized to make any alterations, changes or additions in the Quitclaim Deed herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to other provisions of such instruments to the provisions of this Resolution, or the provisions of the laws of the State of Utah or the United States.

Section 5. If any provision of this Resolution (including the Exhibits attached hereto) should be held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the Exhibits.

Section 6. This resolution shall take effect immediately, as authorized by section 10-3-719 of the Utah Code Annotated.

19 PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the day of APRIL, 2012 by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	_____	_____	_____	<u>X</u>
Steven R. Pratt	<u>X</u>	_____	_____	_____
John W. Niles	<u>X</u>	_____	_____	_____
Thomas N. Stephenson	<u>X</u>	_____	_____	_____

00181157



Betty Jo Western

X

City of Delta

Gayle K. Bunker
Gayle K. Bunker, Mayor

ATTEST:

Gregory Jay Schafer
Gregory Jay Schafer, MMC
City Recorder

00181157

B: 550 P: 180 Fee \$0.00
Connie Hansen, Millard Recorder Page 3 of 5
04/24/2012 10:03:24 AM By DELTA CITY



EXHIBIT "A"
[Property Descriptions]

PARCEL 1: (D-804)

BEGINNING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 51, PLAT A, DELTA TOWNSITE, THENCE SOUTH 5 RODS; THENCE EAST 15 RODS; THENCE NORTH 5 RODS; THENCE WEST 15 RODS TO THE POINT OF BEGINNING.

PARCEL 2: (D-805)

BEGINNING 160 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 3, BLOCK 51, PLAT A, DELTA TOWNSITE, THENCE EAST 125 FEET; THENCE NORTH 160 FEET; THENCE EAST 40 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF LOT 4; THENCE SOUTH 214.5 FEET TO THE SOUTHEAST CORNER OF LOT 4; THENCE WEST 165 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 3; THENCE NORTH 54.5 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 3: (D-806)

THE NORTH 160 FEET OF LOT 3, AND THE WEST 42.5 FEET OF THE NORTH 160 FEET OF LOT 4, BLOCK 51, PLAT A, DELTA TOWNSITE.

00181157

B: 550 P: 181 Fee \$0.00

Connie Hansen, Millard Recorder

Page 4 of 5

04/24/2012 10:03:24 AM

By DELTA CITY



00181158

B: 550 P: 183 Fee \$0.00
Connie Hansen, Millard Recorder Page 1 of 2
04/24/2012 10:03:24 AM By DELTA CITY



MAIL TAX NOTICE TO:

Delta City
Gregory J, Schafer, MMC, City Recorder
76 North 200 West
Delta, Utah 84624-9440

[Space above for County Recorder's Use]

QUIT-CLAIM DEED

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and legal sufficiency of which are hereby acknowledged, **DELTA CITY**, a Utah municipality ("**Grantor**"), hereby quitclaims and conveys to the **LOCAL BUILDING AUTHORITY OF DELTA CITY**, a Utah Municipal building authority of Delta City, ("**Grantee**") the following described property situated in Delta City, Millard County, Utah:

PARCEL 1: (D-804)

BEGINNING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 51, PLAT A, DELTA TOWNSITE, THENCE SOUTH 5 RODS; THENCE EAST 15 RODS; THENCE NORTH 5 RODS; THENCE WEST 15 RODS TO THE POINT OF BEGINNING.

PARCEL 2: (D-805)

BEGINNING 160 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 3, BLOCK 51, PLAT A, DELTA TOWNSITE, THENCE EAST 125 FEET; THENCE NORTH 160 FEET; THENCE EAST 40 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF LOT 4; THENCE SOUTH 214.5 FEET TO THE SOUTHEAST CORNER OF LOT 4; THENCE WEST 165 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 3; THENCE NORTH 54.5 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 3: (D-806)

THE NORTH 160 FEET OF LOT 3, AND THE WEST 42.5 FEET OF THE NORTH 160 FEET OF LOT 4, BLOCK 51, PLAT A, DELTA TOWNSITE.


This Quitclaim Deed is also made on the condition that the property granted hereunder be used exclusively for the construction, operation, and maintenance of a community center and related facilities, and whenever the same shall later cease to be used for such purpose, and upon recorded notice by Grantor of such failure, this Deed shall become void and the title to the property shall automatically revert to and vest in the Grantor.

In Witness Whereof, the said parties of the first part have hereunto set their hands the day and year above written.

GRANTOR:


Gayle K. Bunker, Mayor

ATTEST:


Gregory Jay Schafer, MMC, City Recorder

STATE OF UTAH


)

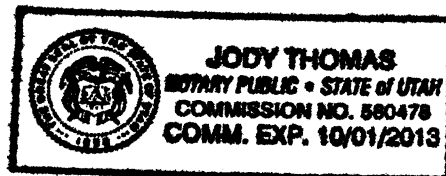
) ss.

COUNTY OF MILLARD

)

Before me, on this 23rd day of April, 2012, personally appeared Gayle K. Bunker, Mayor and Gregory Jay Schafer, respectively, who duly acknowledged to me that they executed the foregoing instrument on behalf of Delta City.


NOTARY PUBLIC



00181158

B: 550 P: 184 Fee \$0.00
Connie Hansen, Millard Recorder Page 2 of 2
04/24/2012 10:03:24 AM By DELTA CITY



Millard County Recorder

Connie Hansen

50 S. Main

Fillmore, UT 84631

Receipt: 1225063

Product	Name	Extended
217	Resolution	\$0.00
# Pages 5, Document # 00181157, Document Info: B: 550 P: 178, Document Info: DELTA CITY 76 NORTH 200 WEST DELTA, UT 84624, Additional Legals 3, Non-Conforming Fees 0, Miscellaneous 0, Fax 0, RESPA 0		
035	Quit Claim Deed	\$0.00
# Pages 2, Document # 00181158, Document Info: B: 550 P: 183, Document Info: DELTA CITY 76 NORTH 200 WEST DELTA, UT 84624, Additional Legals 3, Non-Conforming Fees 0, Miscellaneous 0, Fax 0, RESPA 0		
Total		\$0.00
Change (Cash)		\$0.00

Thank You